

### REMARKS

Claims 1-103, 109, 125-129, 139-145, 147, 151-157, 162-167, and 172-175 have been cancelled without prejudice to the filing of continuing applications. Claims 104, 110, 116, 122, 130, 132, 146, 148, 160, and 168 have been amended. New claims 176-206 have been added. These amendments are fully supported by the specification as originally filed. In particular, support for these amendments can be found in the original claim set. No new matter is added by these amendments.

New claims 176-185 are consistent with the election and are supported specifically by original claims 15-21, 29-34, and 35. New method claims 186-206 are based on the original method claims in the application. Other amendments have been made so that the claims properly depend from the new claims. In addition, these amendments remove non-elected subject matter. All the pending claims are directed to the elected subject matter.

Applicants respectfully submit that the new and amended claims overcome the 35 U.S.C. § 112, second paragraph rejections. In addition, Applicants submit that the claim terms that require substitution on a group such as alkyl are not indefinite. Those skilled in the art will recognize appropriate points of attachment for the various substituents without being specifically told where those substituents are located. These

terms therefore meet the requirements of the second paragraph of § 112.

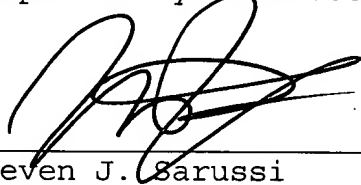
Applicants respectfully disagree with the Examiner's assessment that claim 15 was obvious in view of copending application Serial No. 09/895,871. The claims in this application are directed to piperazine derivatives and the claims of the '871 application do not encompass such compounds. Specifically, the claims of the '871 application require a hydrogen atom on the nitrogen carrying  $R_c$ ; this nitrogen in the instant claims is part of the piperazine ring. Thus, Applicants respectfully request the Examiner to reconsider and withdraw the obviousness-type double patenting rejection.

Applicants urge the Examiner to contact Applicants' undersigned representative at (312)913-0001 should the Examiner believe that this would expedite prosecution of this application.

Respectfully submitted,

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